

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DARRIES STAMMERS,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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Case No. 08-10446  
Honorable Patrick J. Duggan

**OPINION AND ORDER**

At a session of said Court, held in the U.S.  
District Courthouse, Eastern District  
of Michigan, on February 24, 2009.

PRESENT: THE HONORABLE PATRICK J. DUGGAN  
U.S. DISTRICT COURT JUDGE

On January 31, 2008, Plaintiff filed this lawsuit challenging a final decision of the Commissioner denying Plaintiff's application for Social Security Disability Insurance Benefits. On May 22, 2008, Plaintiff filed a motion for summary judgment. On July 23, 2008, Defendant filed a motion for summary judgment. This Court referred both motions to Magistrate Judge Mona K. Majzoub.

On January 28, 2009, Magistrate Judge Majzoub filed a Report and Recommendation (R&R) recommending that this Court deny Plaintiff's motion for summary judgment and grant Defendant's motion. At the conclusion of the R&R, Magistrate Judge Majzoub advises the parties that they may object and seek review of the

R&R within ten days of service upon them. (R&R at 20.) She further specifically advises the parties that “[f]ailure to file specific objections constitutes a waiver of any further right to appeal.” (*Id.*, citing, *Thomas v. Arn*, 474 U.S. 140 (1985); *Howard v. Sec’y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); and *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).) Neither party filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Majzoub. Accordingly,

**IT IS ORDERED**, that Plaintiff’s motion for summary judgment is **DENIED**;

**IT IS FURTHER ORDERED**, that Defendant’s motion for summary judgment is **GRANTED**.

s/PATRICK J. DUGGAN  
UNITED STATES DISTRICT JUDGE

Copies to:  
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AUSA Francis L. Zebot  
Magistrate Judge Mona K. Majzoub